

PATENT
Atty. Dkt. No. ROC920010082US1
MPS Ref. No.: IBMK10082

REMARKS

This is intended as a full and complete response to the Office Action dated May 19, 2005, having a shortened statutory period for response set to expire on August 19, 2005. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-53 are pending in the application. Claims 1-53 remain pending following entry of this response. Applicants submit that the amendments made to the claims do not introduce new matter.

Double Patenting

Claims 1-2, 4-11-19 and 21-26-32 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 4-8, 13-20, 24-27 and 31-33 of copending Application No. 10/000,686. Applicants acknowledge the double patenting rejection made in the Office Action mailed May 19, 2005, and respectfully request that the rejection be held in abeyance because (i) no claim in the present application is currently allowable and (ii) the application on which the rejection is made (10/000,686) has not issued. Because it is possible that no claims will issue, or that the claims of the present application will be amended in such a way to avoid the Examiner's concerns with respect to double patenting, Applicants request that a determination on making an actual double patenting rejection be held in abeyance until the 10/000,686 application issues and at least one claim (which the Examiner believes is subject to double patenting rejection in view of 10/000,686) of the present application is allowed.

Claim Rejections - 35 U.S.C. § 102

Claims 1, 3-4, 7-23 and 26-53 of are rejected under 35 U.S.C. 102(e) as being anticipated by Java Server Pages by *Hans Bergsten* (hereinafter *Bergsten*). Applicants respectfully traverse this rejection.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051,

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1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

In this case, *Bergsten* does not disclose "each and every element as set forth in the claim." Regarding claims 1 and 21, for example, *Bergsten* does not disclose a resource manager configured to receive the internationalization context extracted by the server and process a request to invoke a remote procedure call received from the client device using the geographically specific parameters internationalization context.

The Examiner cites material from a chapter of *Bergsten* describing internationalization techniques related to Java Server Pages. As one of ordinary skill in the art recognizes, Java Server Pages (or JSP) is a Java technology that allows developers to dynamically generate HTML, or some other type of web page. The recited material describes how to use JSP to localize web content using information included in an HTTP request header. The HTTP request header is sent from a client to a web server as part a request for a particular webpage. The JSP elements within the webpage may be processed by the server to include localized content.

An HTTP request for a webpage page, however, fails to disclose a request to invoke a remote procedure call received from the client device using geographically specific parameters. Simply, a web browser fails to invoke a remote procedure call. Remote procedure calls provide a framework that attempts to create the illusion that a client invoking an RPC call and the server executing the RPC call are each running in the same address space, so the client and server can cheaply (a) share complex structures, and (b) call each other like function libraries, ignoring latency and other performance considerations. In contrast, an HTTP request is a message from a client requesting the content of a web-page, rendered on a web browser executing on the client.

Finally, the Examiner rejects both claims 1 and 21 using a common rejection. However, these claims do not share common terms. Specifically, claim 21 recites an internationalization context wherein the internationalization context contains at least a

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locale specification and a time zone identifier. Nothing in the material from *Bergsten* recites an internationalization context that contains a time zone identifier. Nor would one expect it to. The `locale` object provided as part of the Java SDK (and JSP) does not include data fields to represent a time zone, nor does the HTTP request header include any data to represent a time zone. By rejecting claims 1 and 21 together, the Examiner ignores the express limitation of claim 21 that the internationalization context contains at least ... a time zone identifier. For this reason alone, the rejection of claim 21 fails to establish a *prima facie* case of anticipation and should be withdrawn.

Thus, for all the reasons above, the description of java server pages in *Bergsten* fails to teach or suggest a resource manager configured to receive the internationalization context extracted by the server and process a request to invoke a remote procedure call received from the client device using the geographically specific parameters internationalization context. Accordingly, Applicants submit that claims 1 and 21, and the claims dependent therefrom, are allowable. Applicants request, therefore, that the rejection of these claims be withdrawn.

Regarding claims 10, 33, and 45, each of these claims recites both a first and a second request. Claim 10 is illustrative, which recites: receiving, at a server, a first request from a client, wherein the first request is a request to invoke a remote procedure call at the server; receiving, at the server, a second request from the client, wherein the second request comprises an internationalization context for processing the first request, wherein the internationalization context specifies geographically specific parameters set for the client. Thus, these claims recite, among other things, a first request to invoke a remote procedure call, and independently, a second request containing internationalization parameters. The "accept-language" field included in the HTTP request header, however, is inextricably bound to the HTTP request. That is, HTTP request header, used by Java Server Pages, is part of a single, indivisible request. Accordingly, the discussion of HTTP request headers described in *Bergsten* fails to disclose a second request comprising an internationalization context that is independent from a first request specifying a remote procedure call to invoke on an object on the server. Further, as described above, an HTTP request does not include a

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request to invoke a remote procedure call; rather, it requests a document from a web server.

Finally, like claims 1 and 21, the Examiner rejects claims 10, 33, and 45, using a common rejection that fails to address an element recited by claim 33. Specifically, claim 33 recites an internationalization context containing a user specified locale specification and a time zone identifier. As described above, the Java `locale` object is not configured to process a time zone identifier, nor does the `accept-language` header of an HTTP request provide a time zone identifier. Accordingly, Applicants submit that claim 33, and the claims dependent therefrom, are allowable, and therefore request that the rejection be withdrawn.

Regarding claim 27, for the reasons given above, the discussion of java server pages in *Bergsten* cited by the Examiner fails to teach or suggest an application configured to process a request from the client computer to invoke a remote procedure call on the server computer, according to the internationalization context provided by the client computer. Accordingly, Applicants submit that claim 27, and the claims dependent therefrom, are allowable, and therefore request that the rejection be withdrawn.

Regarding claim 30, which depends from claim 27, the Examiner rejects this claim as part of a common rejection of claims 26-53, see *Office Action*, p. 5. However, in the ensuing discussion of the rejection, the Examiner fails to provide any support detailing how claim 30 is anticipated by *Bergsten*. Applicants submit therefore, that the rejection is improper. Furthermore, claim 30 recites a limitation of the internationalization context, specifically, wherein the internationalization context contains a time zone identifier. As described above, the Java `locale` object is not configured to process a time zone identifier, and nor does the `accept language` header of an HTTP request provide a time zone identifier. Accordingly, Applicants submit that claim 30 is allowable, and therefore request that the rejection be withdrawn.

Regarding dependent claims 16, 31, 39, and 46, the Examiner asserts that *Bergsten* teaches "wherein the internationalization context contains at least a locale

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specification and a time zone identifier (See section 11.1). See *Office Action Page 7*. Perhaps the Examiner is referring to the following from section 11.1.2: "As with the `NumberFormat` class, there are other specialized date formatters besides the one used here. You can use the `getDateTimeInstance()` and `getTimeInstance()` methods to produce strings including both the date and time or just the time." See *Bergsten*, p. 3. Other than this sentence, nothing in section 11.1 refers to time-of-day information. Respectfully, however, this sentence fails to disclose a time **zone** identifier; it discloses formatting a time-of-day value. Accordingly, Applicants submit that claims 16, 31, 39, and 46, are allowable, and therefore request that the rejection be withdrawn.

Regarding claim 43, the Examiner rejects this claim stating: "the claimed invention as described above. Furthermore, *Bergsten* teaches a computer data signal embodied in a transmission medium, comprising an internationalization context containing at least a locale specification and a time zone identifier, wherein the internationalization context configures a processor of a computer to process requests according to the internationalization context (See Section 11.2)." As described above however, *Bergsten* fails to disclose a time zone identifier. Accordingly, Applicants submit that claim 43 is allowable, and therefore request that the rejection be withdrawn.

Regarding claim 52, as described above *Bergsten* fails to teach or suggest a request to invoke a remote procedure call. Further, Applicant submits that the HTTP request header disclosed in the material describing JSP fails to disclose a request that may be propagated from a first server to a second server to process the client request, wherein the internationalization context propagated along with the request. Rather, the material cited by the examiner discussing JSP describes an information transaction between a single client and server. Accordingly, Applicants submit that claim 52 is allowable, and therefore request that the rejection be withdrawn.

Therefore, claims 1, 3-4, 7-23, and 26-53 are believed to be allowable, and allowance of the claims is respectfully requested.

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Claim Rejections - 35 U.S.C. § 103

Claims 2, 5-6 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Bergsten* in view of U.S. Patent Application No. 2002/0184308 to *Levy et al.* (hereinafter *Levy*). Applicants respectfully traverse this rejection.

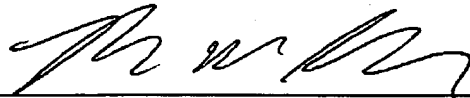
Applicants submit that because *Bergsten* fails to teach or suggest the invention claimed in independent claims 1 and 21, for the reasons stated above, the rejection of claim 2, 5-6 and 24-25 is obviated without the need for further remarks by Applicants.

Nevertheless, Applicants believe one observation is appropriate. Regarding claims 6 and 25, the Examiner expressly states that "*Chiles et al* [sic] fails to teach wherein the internationalization context contains a time zone identifier." See *Office Action*, p. 12. The limitation of including a time zone identifier in an internationalization context is, however, recited by claims 8, 15, 16, 19, 20, 21, 29, 31, 33, 38, 39, 42, 43, 44 and 46. Each of these claims is rejected under 102(e) using a reference that the Examiner concedes does not disclose this recited element. Applicants submit that the rejection of these claims is, therefore, improper and request that the rejection be withdrawn.

Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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